



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Petitioner: Brianna Lyn Cutting (Pro per)

Guardian: Sharron Ann Hornor (Pro per)

Petition for Visitation

		BRIANNA LYN CUTTING , mother, is petitioner. SHARRON ANN HORNOR , maternal grandmother, was appointed guardian of Riley only, on 7/25/2013. <i>See petition for details.</i>	NEEDS/PROBLEMS/COMMENTS: Petition is as to <u>Riley Hornor</u> only. Minute order dated 7/27/2016 continued matter to 9/14/2016. The following issues still exist: 1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of the <i>Notice of Hearing</i> on: a. Sharron Ann Hornor (guardian)	
Cont. from 072716				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
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<input type="checkbox"/>	Letters			
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<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 9/8/2016	
			Updates:	
			Recommendation:	
			File 1- Hornor/ Cutting	

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 2/24/14		<p>RACHELLE IRELAND, Daughter, was appointed Executor with Full IAEA without bond on 4/16/15.</p> <p>At hearing on 4/16/15, the Court set this status hearing re filing the first account or final account.</p> <p>Status Report filed 3/22/16 states the decedent owned a one-half interest in her Fresno residence with her partner, Gary Pritchard. The short sale completed 8/21/15 with no proceeds to the estate. The rental property in North Fork was listed for sale; however, the realtor moved out of the area and unlisted the property without notification.</p> <p>The Executrix was in the process of finding another realtor when Chase Bank notified her and the tenants that they are starting foreclosure proceedings. The date of death appraised value is \$105,000. The mortgage is approx. \$83,000. The rental payments were going towards the monthly mortgage payments. The property taxes more than doubled in 2015-2016, which caused a significant rise in the monthly mortgage payment from \$626.36 to \$818.08. Rent is \$740, but a property manager collects rent and handles day to day management, so after their pay, net received is \$666. Due to the dilapidated condition and many issues with the property, rent cannot be raised any further.</p> <p>Because there were limited funds in the estate, it could no longer pay the shortfall and was forced to stop making the monthly mortgage payments in November 2015. The renters are currently still in the property and making their monthly payments. In March, Chase Bank served notices of intent to start foreclosure proceedings. The property manager states that the tenants intend to stay as long as possible and it is to the estate's advantage to keep the tenants as long as possible.</p> <p>The decedent also owned some minimal miscellaneous stocks that the estate is in the process of liquidating.</p> <p>The estate cannot close until foreclosure proceedings for the North Fork property have concluded.</p> <p>A further status report was filed 7/26/16. See Page 2.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 7/27/16:</u> The Court will consider sanctions if petition is not filed.</p> <p><u>Minute Order 3/23/16:</u> The Court reviews a letter dated 2/23/16 from Trustee Corp. stating that the mortgage loan for the North Fork property was referred to their firm for foreclosure; the letter further states that parties may have alternatives available to avoid sale. Counsel represents that there is not enough funds in the estate to get the property out of foreclosure. The Court admonishes that the personal representative may be held responsible for any losses.</p> <p>As of 9/8/16, nothing further has been filed.</p> <p>1. Need First Account or Petition for Final Distribution or current written status report per Local Rule 7.5.</p> <p><u>Note:</u> On 7/25/16, the mailing to Executor Rachelle Ireland re the OSC was returned to the Court undeliverable at the address provided in the original petition.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 9/8/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2- Stafford</p>
Conf. from 061215, 071515, 090915, 032316, 062916, 072716			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters	4/17/15		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Page 2

Status Report filed 7/26/16 by Attorney Lisa Horton states the renters are currently still in the North Fork property and making their monthly rental payments. In the beginning of March, Chase Bank served notice of intent to start foreclosure proceedings. Jan Ramos, property manager, states the tenants intend to stay as long as possible. The attorney has called and left messages for the property manager to give her status on the tenants and on foreclosure. She spoke with Beth Carver, a property manager, today, and was informed that a certified letter came to the property stating there is to be a trustee sale on 8/17/16.

The estate cannot be closed until the foreclosure proceedings have concluded for the North Fork property; therefore, the attorney requests a 30 day continuance.

Attorney Heather M. Weare, of Santa Maria (for Petitioner John Parker)

Petition for Order for Preliminary Distribution

DOD: 12/4/2014		JOHN PARKER , friend and Executor appointed 3/30/3015, is Petitioner. <p align="center">~Please see Petition for details~</p>	NEEDS/PROBLEMS/COMMENTS: <u>Note Re Future Hearing:</u> Minute Order dated 7/11/2016 from the status hearing for the filing of the first or final account continues the status hearing to 1/11/2017 , stating that no appearance is necessary at the status hearing if the petition is filed at least two court days prior; if the petition is not filed, then a verified status report must be filed two days before 1/11/2017, and Ms. Weare and Mr. Parker need to be available for the hearing.
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<input type="checkbox"/>	Aff.Sub.Wit.		
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<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters 033015		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 9/7/16	
		Updates:	
		Recommendation:	
		File 3- Stoccketti	

Attorney Heather H. Kruthers (for Public Guardian)

Probate Status Hearing Re: Filing of the First Account

DOD: 8/1/2015			NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR <i>First and Final Account and Report of Conservator filed 8/30/2016</i>
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 9/1/16	
		Updates:	
		Recommendation:	
		File 4- Stubblefield	

Status RE: Filing of the First Account

		The FRESNO COUNTY PUBLIC GUARDIAN was appointed Conservator on 6/10/15. Letters issued 6/26/15.	NEEDS/PROBLEMS/COMMENTS:
		At hearing on 6/10/15, the Court set this Status hearing for the filing of the first account.	1. Need first account per Probate Code §2620 or written status report per Local Rule 7.5.
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 9/8/16
			Updates:
			Recommendation:
			File 5- Rios

Attorney David N. Knudson (for Executor Daniel Trzebiatowski)

Probate Status Hearing Re: Filing of the First or Final Account

DOD: 12/102014	DANIEL TRZEBIATOWSKI , Trustee of the MITJL CARVALHO CAPET TRUST , was appointed Executor with Full IAEA authority without bond on 6/17/2015.	NEEDS/PROBLEMS/COMMENTS: 1. Need first and/or final account, or verified status report pursuant to Probate Code § 12200, and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).
Cont. from	Letters issued on 6/19/2015.	
Aff.Sub.Wit.		
Verified	Pursuant to Probate Code § 8800(b) , <i>Final Inventory and Appraisal</i> was filed 1/21/2016.	
Inventory	<i>Partial No. 1 Inventory and Appraisal</i> was filed 1/4/2016.	
PTC		
Not.Cred.		
Notice of Hrg	Pursuant to Probate Code § 12200 , first account and/or petition for final distribution was due 6/19/2016 .	
Aff.Mail		
Aff.Pub.	Minute Order dated 6/17/2015 from the hearing on the petition for probate of lost Will set this status hearing on 9/14/2016 for filing of the first account and/or petition for final distribution.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LEG
Status Rpt		Reviewed on: 9/7/16
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 6- Capet

DOD: 01/30/2015	MICHAEL STRAIT , son, was appointed Administrator with full IAEA authority, with bond in the amount of \$250,000.00, on 07/08/2015.	NEEDS/PROBLEMS/COMMENTS: 1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Minute Order of 08/12/2015 states Counsel reports that they were unable to obtain bond, and requests limited authority. Court Orders full authority it revoked and limited authority is granted, and any proceeds go into a blocked account.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail	Amended Order filed 08/24/2016 appointing Michael Strait Administrator with limited authority and any and all cash be deposited into a blocked account.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Letters issued 08/25/2016	
Letters		
Duties/Supp	Final Inventory and Appraisal filed 12/10/2015 shows and estate valued at \$155,000.00.	
Objections		
Video Receipt	Supplemental Inventory and Appraisal filed 03/02/2016 shows an estate valued at \$1,729.49.	
CI Report		
9202		
Order	Supplemental Inventory and Appraisal filed 06/06/2016 shows an estate valued at \$139,097.34.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	Minute Order of 07/08/2015 set this Status Hearing for the filing of the First and Final Account.	
FTB Notice		
		Reviewed by: LV
		Reviewed on: 09/07/2016
		Updates:
		Recommendation:
		File 7- Strait

Attorney Heather H. Kruthers (for Petitioner Public Guardian)
 Attorney Deborah K. Boyett (Court-appointed for Conservatee)
 Attorney Elizabeth H. Kim; Karen S. Bensch, of Stockton (for Diane Varao, daughter)

Petition for Court's Confirmation of Conservatee's Current Placement

			<p>PUBLIC GUARDIAN, Conservator of the Estate appointed on 10/1/2015 and Conservator of the Person appointed on 11/12/2015, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Objection to Petition for Court's Confirmation of Conservatee's Current Placement filed by DIANE VARAO, daughter, on 7/8/2016.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 8/31/2016.</u> Minute Order states Ms. Kruthers is also specially appearing for Ms. Boyett and Ms. Kim. The Court orders that the Conservatee's placement is not to change.</p> <p><u>Note for background:</u> Minute Order dated 11/12/2015 from the hearing on the petition for appointment of conservator states, in pertinent part: The Court finds substantial disharmony and disagreement in the family with regard to the care of Maria Madrigal and appoints the Public Guardian as Conservator of the Person.</p>
Cont. from 071316, 083116				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
✓	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: LEG</p> <p>Reviewed on: 9/7/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8- Madrigal</p>	

Guardian: Douglas Lund (pro per)

Petitioner: Ninalyn McNeil (pro per)

Petition for Termination of Guardianship

		NINALYN McNEIL, mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		DOUGLAS LUND, step-father, was appointed as guardian on 11/30/15.	Continued from 7/25/16. As of 9/8/16 the following issues remain:
Cont. from 072516		Please see petition for details.	1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Douglas Lund (guardian) b. Michael Short (father) c. Paternal grandparents d. Maternal grandfather e. Evelyn Oliver (maternal grandmother)
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
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<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/8/16
			Updates:
			Recommendation:
			File 9- McNeil

Status RE: Filing of the Inventory and Appraisal

DOD: 6/6/15		GENARO A. SALAS , Spouse, was appointed Administrator with Limited IAEA Authority and without bond on 1/27/16. Letters issued on 1/27/16. At the hearing on 1/27/16, the Court set this status hearing for the filing of the Inventory and Appraisal.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 7/27/16</u> : If Inventory and Appraisal is not filed, Mr. Salas may be removed. Examiner notes given. As of 9/8/16, nothing further has been filed. 1. Need Inventory and Appraisal pursuant to Probate Code §8800 or written status report pursuant to Local Rule 7.5.
Cont. from 062916, 072716			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 9/8/16
			Updates:
			Recommendation:
			File 10- Salas

DOD: 12/16/2015	SUSAN TANJA HODGE , daughter, was appointed Executor with full IAEA authority, without bond on 12/16/2015.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued 12/21/2016	1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from		
Aff.Sub.Wit.	Minute Order of 12/16/2015 set the Status Hearing for the filing of the Inventory and Appraisal on 05/18/2016.	
Verified		
Inventory		
PTC	Order Granting Ex Parte Application for Continuance of Status Hearing was filed 05/17/2016, continuing the status hearing to 07/13/2016.	
Not.Cred.		
Notice of Hrg		
Aff.Mail	Order Granting Ex Parte Application for Continuance of Status Hearing was filed 07/07/2016, continuing the status hearing to 09/14/2016, court states this would be the last continuance.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 09/07/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 11- Soojian

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 07/11/2015	SUSAN GONZALES , spouse, was appointed Administrator with full IAEA authority, without bond on 04/13/2016.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal.					
	Letters issued on 04/14/2016						
Cont. from	Minute Order of 04/13/2016 set this Status Hearing for the filing of the Inventory and Appraisal.	<table border="1"> <tr><td>Reviewed by: LV</td></tr> <tr><td>Reviewed on: 09/07/2016</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 12- Gonzales</td></tr> </table>	Reviewed by: LV	Reviewed on: 09/07/2016	Updates:	Recommendation:	File 12- Gonzales
Reviewed by: LV							
Reviewed on: 09/07/2016							
Updates:							
Recommendation:							
File 12- Gonzales							
Aff.Sub.Wit.	Status Hearing filed 08/03/2016 states the estate was opened for the purpose of appointing a personal representative to file a wrongful death action. The lawsuit was filed on or about 06/29/2016. The only asset in this estate is the wrongful death claim and in the court appointed probate referee has informed the Attorney Janian that he is not able to place a value on the claim at this time. Therefore, not inventory has been presented to the probate referee for appraisal.						
Verified							
Inventory							
PTC							
Not.Cred.							
Notice of Hrg							
Aff.Mail							
Aff.Pub.							
Sp.Ntc.							
Pers.Serv.							
Conf. Screen							
Letters							
Duties/Supp							
Objections							
Video Receipt							
CI Report							
9202							
Order							
Aff. Posting							
Status Rpt							
UCCJEA							
Citation							
FTB Notice							

13 Alyssa Mendez and Jasmine Mendez (GUARD/P) Case No. 16CEPR00424

Attorney Marcus A. Torigian (for Petitioners Amy Mendez and Peggy Mendez-Martinez)

Petition for Appointment of Guardian of the Person

		<p>TEMPORARY EXPIRES 6/27/2016; extended to 8/8/2016; extended to 9/14/2016</p> <p>AMY MENDEZ, maternal grandmother, and PEGGY MENDEZ-MARTINEZ, maternal great-grandmother, are Petitioners.</p> <p>~Please see Petition for details~</p> <p>Court Investigator Samantha Henson's Report filed 6/21/2016</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/8/2016. Minute Order states for the record, Aubrey Orosco, sibling, is only 5 years old. Counsel represents that they are awaiting return of the Proof of Service from the prison with regard to Frank H. Juarez. Counsel must properly notice Danielle Heminez. Counsel requests that visitation orders for Danielle Juarez and Henry Juarez, Jr., be vacated, as only one visit has occurred. The Court orders that Counsel must properly file and notice the request, and then the request may also be set for 9/14/2016.</p> <p>Note Re Visitation: Minute Order dated 5/2/2016 from the hearing on the Temporary Petition filed by DANIELLE JUAREZ and HENRY JUAREZ, JR. states: The Court orders that the minor have no contact with FRANK HENRY JUAREZ, father, until he appears before the Court. The Court orders visitation for Danielle and Henry Juarez every other Saturday from 11am to 1pm starting on 5/7/2016. Parties may mutually agree to a different 2 hour block of time, but not increase or decrease the time. Each receiving party shall pick the minor up.</p> <p>1. Need proof of service by mail of the Notice of Hearing with a copy of the Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice, or a Declaration of Due Diligence, for:</p> <ul style="list-style-type: none"> Danielle Heminez, sibling. 	
Cont. from 062716, 080816				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 9/7/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Mendez</p>		

14 Jonathan Garcia Espinoza, Mayra Nunez Garcia, Case No. 16CEPR00580
Angel Garcia Espinoza, Evelin Nunez Garcia, Ernesto Nunez Garcia,
Jairo Lopez Garcia, II, Fidela Lopez Garcia (GUARD/P)

Petitioner Espinoza, Fidela (Pro Per – Maternal Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 8/3/16:</u> Examiner notes provided in open court. Ernesto Nunez represents that he was noticed; the court orders that no further notice is needed. Mr. Nunez further represents that the paternal grandparents of Evelyn, Mayra, and Ernesto are Manuel Nunez and Carmen Nunez; proper notice is required. 1. Declaration filed 8/22/16 states Petitioner spoke with Guadalupe Nunez, sister of Ernesto Nunez and daughter of paternal grandparents of Evelin, Mayra, and Ernesto. She refused to provide her parents' address and gave Petitioner her address and said all mail to her parents must go through her first. Notice of Hearing filed 8/22/16 indicates mailing to "Rafael Nunez" and "Carmen Lopez aka Carmen Nunez" at the address provided by Guadalupe Nunez. However, the name of the paternal grandfather appears different than provided in Court, and direct notice is required per Probate Code §1511 and Cal. Rule of Court 7.51. The Court may require further diligence or direct notice. 2. If diligence is not found, need notice per Probate Code §1511 to: - Unknown fathers and paternal grandparents of Jonathan and Angel - Unknown Paternal Grandparents of Jairo and Fidela	
Cont. from 080316				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 9/7/16				
Updates:				
Recommendation:				
File 14- Espinoza/ Garcia				

Attorney Mele, James J. (for Petitioner Robert Camacho)

Attorney Perez, Holley H. (for Objector Ortencia Martinez-Ramirez Camacho)

Amended Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under the IAEA

DOD: 6/8/16			ROBERT CAMACHO , Son and named Executor without bond, is Petitioner	NEEDS/PROBLEMS/COMMENTS:
			Full IAEA – ok	
			Will dated 2/23/04	
	Aff.Sub.Wit.	S/P		
✓	Verified		Residence: Reedley	
	Inventory		Publication: Reedley Exponent	
	PTC			
	Not.Cred.		Estimated value of estate: Real property: \$250,000.00	
✓	Notice of Hrg		Probate Referee: Steven Diebert	
✓	Aff.Mail	w/o		
✓	Aff.Pub.		ORTENCIA MARTINEZ-RAMIREZ CAMACHO , Surviving Spouse, filed Objections and a competing petition on 8/31/16, which requests probate of the estate as intestate. See Page B re competing petition.	
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp		Objector states she is and the decedent married 1/20/05 and were married 11 years until her husband's death on 6/8/16. A copy of the Fresno County License and Certificate of Marriage is attached as Exhibit A. Robert, Rudy, and Randy are her husband's sons by a prior marriage.	
✓	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice		Objector states the provisions in the will dated 2/23/04 that Robert Camacho seeks to have admitted into probate are not valid. The will was executed prior to their 11-year marriage; therefore, distribution is governed by the intestate distribution provisions of Probate Code. <u>SEE ADDITIONAL PAGES</u>	

Reviewed by: skc
Reviewed on: 9/8/16
Updates:
Recommendation:
File 17B- Camacho

Page 2 – Objections (Cont'd): Objector states Robert Camacho should not be appointed executor because of his untruthfulness and bias against her. Despite knowledge to the contrary, his petition filed 8/4/16 misrepresented that there was no surviving spouse. However, the death certificate (Exhibit B) shows Robert Camacho as the person providing the information, and it contains Objector's name as surviving spouse. Objector believes the omission of her identity as surviving spouse was intentional to exclude her from the probate administration.

Objector states the real property containing the residence occupied by Objector and the decedent contains four smaller dwellings, which produce income of approx. \$2,800/month. Neither petition indicates income as required, or personal property, despite the fact that personal property and a vehicle existed at the decedent's death. Objector believes Petitioner has already transferred title to the vehicle from the decedent's name, and the vehicle is currently in Rudy's possession.

Objector states she does not know if the decedent's sons including Robert Camacho were actually aware that she and the decedent were married prior to his passing.

Robert and his wife live down the street from the residence. Randy, who suffers from Down syndrome, always lived with her and the decedent while the decedent was alive. Rudy moved in in 2004. Randy does what Rudy tells him, and makes hand signals to Rudy.

Objector states after her husband's death, the sons' treatment and attitude toward her drastically changed. They ordered her out of the residence, told her she had no right to be there, and no rights concerning her husband. They removed her husband's clothing, personal effects, and military documents and financial documents, and have withheld them from her. They make statements that she must move or will be forced out. They have taken and kept mail addressed to her husband and some addressed to her. They have prevented her use of the residence bathroom by locking it and her use of the washer and dryer purchased during their marriage, conduct which resulted in police involvement (see Exhibit C). They have thrown away her food and prevented her from watering by hiding the hose. With Objector's permission, her attorney contacted Fresno County Adult Protective Services regarding the treatment she was being subjected to. Exhibit D is the memorandum received from APS re the conclusions reached, indicating allegations founded, and investigation continues.

Objector is not sure to what extent Robert has been involved in the above-described conduct, but believes he either directed it or supports it, and has possession of all of the decedent's personal effects removed from her bedroom. If he has tried to prevent his brothers' conduct, he has not been successful, which indicates inability to control their conduct if appointed executor.

Based on the foregoing, Objector prays that the Amended Petition for Probate of Will and for Letters Testamentary be denied. See Page B re Objector's competing petition for probate of the estate as intestate. (Objection was served on all interested parties.)

SEE ADDITIONAL PAGES

Page 3 – Petitioner Robert Camacho filed an Objection to the competing petition as follows, which is summarized here for continuity: Petitioner states he and his brothers are the children of the decedent and their mother, Lupe, who died 7/9/00. Their parents worked hard and owned the real property in Reedley, on which is situated their home and four rental homes. At the time of their father's death, the property was still titled in his and Lupe's names. His father executed the will 2/23/04. The will is properly witnessed and self-proving and has been deposited with the court. Petitioner is nominated as executor without bond.

Petitioner states some time ago, a woman moved into the main home occupied by his father and brothers. Though Petitioner visited often, he was never informed that they had married. In fact, he was never introduced to her, and his father always referred her as "the lady." She is not named in the will. Based on Petitioner's belief that she was simply living with his father, Petitioner listed only his mother as deceased spouse. He then learned his father had apparently married her on 1/14/05, and filed this amended petition.

Petitioner is informed and believes that his father never included Ortencia Martinez Ramirez on any of his bank accounts. His father told him and his brother to get all of his paperwork, and they did. As noted, he had never removed their mother from title after she died.

When his father was in the hospital before he died, Petitioner asked him what he wanted him to do with the lady and he said she can't stay there, she has to go. After his death, Petitioner asked his lawyer to inform her that she did not have permission to stay in the house. Petitioner did not know she was "legally" married to his father. As stated, Petitioner never even met her before his father died, even though he went to the house often. She would go into the bedroom.

Petitioner states he has a letter written by Ortencia to his father before his death wherein she acknowledges that she told him that she doesn't want him to give her anything; she just wants his sons to give her time to move out. It is Petitioner's understanding that she came to this country on a tour bus and never left, and that she had a spouse in Mexico who is now deceased, but Petitioner has no information as to when he died. He has information and documentation that she was charged with perjury to obtain an INA document and that she was charged with petty theft in 2010, and that his father had to pay an \$800 fine because the IRS said the social security number used by Ortencia belonged to someone else when she filed income taxes with his father in 2010 and 2011.

Petitioner's attorney explained that she may be entitled to an intestate share of the estate if she is legally married absent other evidence that he intentionally excluded here; **however, that does not otherwise invalidate the will that appoints Petitioner as executor without bond.** (Emphasis in original.)

Steven Diebert has appraised the real property at the date of death at \$250,000, not \$500,000, as estimated in her competing petition.

Petitioner states his attorney has explained to him and he acknowledges the duties of executor and he will faithfully carry out those duties as his father wanted and as instructed by the court. Ortencia Martinez Ramirez should not be appointed administrator of the estate for the foregoing reasons. (Objection was served on all interested parties on 9/2/16.)

Note re Probate Referee: Petitioner states Steven Diebert has already been consulted, therefore, although this case number would normally be assigned to Rick Smith, Examiner has assigned Steven Diebert as Probate Referee herein.

Petition for Letters of Administration Authorization to Administer under the Independent Administration of Estates Act

DOD: 6/8/16		ORTENCIA MARTINEZ-RAMIREZ CAMACHO, aka HORTENCIA MARTINEZ-RAMIREZ CAMACHO, Surviving Spouse, is Petitioner and requests appointment as Administrator with Full IAEA with bond of \$533,600. Full IAEA – need publication Petitioner states the decedent died intestate as to Petitioner, the surviving spouse. Petitioner also attaches a copy of the decedent's will dated 2/23/04. Residence: Reedley Publication: need publication Estimated value of estate: Personal property: \$ 3,000.00 Annual income: \$ 33,600.00 Real property: \$500,000.00 Total: \$536,600.00 Probate Referee: Steven Diebert Petitioner states she is entitled to priority as administrator pursuant to Probate Code §8461(a). Note: Petitioner's objection to the petition of Robert Camacho for appointment as executor and to admit the decedent's will dated 2/23/04 to probate states the decedent's will was executed prior to their 11-year marriage; therefore, distribution is governed by the intestate distribution provisions of Probate Code. Robert Camacho, Son, filed an amended petition on 8/10/16 requesting probate of the decedent's will and appointment as executor pursuant to the will and also filed an Objection to this competing petition by Ortencia Martinez-Ramirez Camacho. His objection is summarized at Page A.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner alleges the decedent died "intestate as to the surviving spouse." Although Petitioner does not provide authority, Examiner notes that Probate Code §21610 provides that a surviving spouse who married the decedent after execution of the testamentary instrument shall receive a share of the estate as set forth therein. (Exceptions are noted in subsequent sections). However, this section does not invalidate the will or give the surviving spouse priority of appointment over the executor nominated in the will. Therefore, it does not appear Petitioner is entitled to appointment, and it does not appear the estate should be probated as intestate. 2. If this petition goes forward, need publication pursuant to Probate Code §8120. 3. If this petition goes forward, need Order, Letters pursuant to Local Rule 7.1.1.F.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
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<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters X		
<input checked="" type="checkbox"/>	Duties/Supp		
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<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

18 Stephanie Bribiesca (CONS/PE)**Case No. 16CEPR00828**

Attorney Kruthers, Heather H (for Public Guardian)

Attorney Bagdasarian, Gary G. (Court appointed for Proposed Conservatee)

Petition for Appointment of Probate Conservator of the Person and Estate

Age: 20		<u>TEMPORARY EXPIRES 09/14/2016</u> The FRESNO COUNTY PUBLIC GUARDIAN is Petitioner. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS: 1. Petitioners list parents and siblings at #11. The Court may require clarification that these are all of the relatives within the second degree, which should include grandparents, parents, children, grandchildren, and siblings. If deceased, please so state. If there are additional relatives, they are entitled to notice. <u>Note: If the petition is granted status hearings will be set as follows:</u> <ul style="list-style-type: none"> • Wednesday, 02/15/2017 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Wednesday, 11/15/2017 at 9:00a.m. in Dept. 303 for the filing of the first account. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
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Reviewed by: LV				
Reviewed on: 09/08/2016				
Updates:				
Recommendation:				
File 18- Bribiesca				

19 Delin Alanis and Gilberto Alanis (GUARD/P) Case No. 16CEPR00830

Petitioner Vallejo , Marisa Alanis (Pro Per – Paternal Aunt – Petitioner)

Petitioner Vallejo, Rogelio (Pro Per – Paternal Uncle – Petitioner)

Petition for Appointment of Temporary Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 8/24/16:</u> The Court grants permission for Petitioners to notice Akia D. Avila, Mother, via Facebook or text message with all pertinent information. Petitioners are to bring printed proof of any messages and the device used to court on 9/14/16. <u>Update:</u> Notice of Hearing filed 8/30/16 indicates that Akia D. Avila, Mother, was personally served on 8/26/16 re this continued temp hearing on 9/14/16 and re the general hearing on 10/12/16.
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✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
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	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc			
Reviewed on: 9/7/16			
Updates:			
Recommendation:			
File 19- Alanis			

Attorney Kathleen Bakergumprecht-Davies (for Petitioner Donna C. Kato)

Petition for Appointment of Probate Conservator of the Person

		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		DONNA C. KATO , mother, is Petitioner.			
		~Please see Petition for details~			
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	Aff.Sub.Wit.				
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	Objections				
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✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation		X		
	FTB Notice				
				<p>1. Citation for Conservatorship filed 9/8/2016 shows service of the Citation to the proposed Conservatee on 9/1/2016, which date is prior to the clerk's date at the seal of the Citation of 9/7/2016. Need properly served Citation for Conservatorship pursuant to Probate Code § 1823, and proof of personal service of the Citation on the proposed Conservatee with a copy of the Petition for Appointment of Probate Conservator pursuant to Probate Code § 1824.</p> <p>~Please see additional page~</p>	
				Reviewed by: LEG	
				Reviewed on: 9/8/16	
				Updates: 9/8/16	
				Recommendation:	
				File 20- Kato	

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need proof of 30 days' mailed service prior to hearing of the *Notice of Hearing* with a copy of the *Petition for Appointment of Probate Conservator* for the regional center identified in Probate Code § 1827.5 (typically Central Valley Regional Center in Fresno), pursuant to Probate Code § 1822(e).
3. *Petition* is not but should be marked at Item 3(f) indicating that efforts to find the proposed conservatee's relatives or reasons why it is not feasible to contact the relatives are described in Attachment 3(f)(1), based upon the *Petition* indicating the proposed conservatee's brother, **KEVIN KATO**, is estranged. Need Attachment 3(f)(1) describing proof of due diligence, or proof of notice pursuant to Probate Code § 1822, for **KEVIN KATO**.
4. Need *Conservatorship Video Viewing Certificate* pursuant to Local Rule 7.15.9(A).
5. Proposed letters are not signed by proposed Conservator.

Note: *Petition* **is not** marked at Item 1(g) for the Court to consider granting medical consent powers. However, *Petition* **is** marked at Item 9(a) indicating that there is no form of medical treatment for which the proposed Conservatee has the capacity to give an informed consent, and **is also** marked at Item 9(b) indicating that a *Medical Capacity Declaration* in support of Petitioner's request is filed with the *Petition*. Based upon the two marks at Item 9 and despite the lack of mark at Item 1(g), it appears Petitioner requests medical consent powers, and the request is supported by the *Medical Capacity Declaration* filed 8/10/2016.

Attorney Teixeira, J. Stanley (for Lora L. Hovland – Petitioner – Daughter)

Attorney Istamboulian, Flora (for Court Appointed for proposed Conservatee)

Petition for Appointment of Temporary Conservator of the Person

Age: 90		<u>TEMPORARY GRANTED EXPARTE; EXPIRES</u> <u>09/14/2016</u> <u>GENERAL HEARING 10/20/2016</u> LORA L. HOVLAND , daughter, is petitioner. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) on the Proposed Conservatee, Lloyd E. Hovland.	
Cont. from				
	Aff.Sub.Wit.			
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	Notice of Hrg			x
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	Pers.Serv.			x
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✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: LV Reviewed on: 09/08/2016 Updates: Recommendation: File 21- Hovland	